

REMARKS/RESPONSE

Reconsideration of this application is respectfully requested.

At the time of the Office Action (Paper No. 8), claims 1-9 were pending. Claims 10 and 11 have been withdrawn pursuant to a species restriction requirement. Claims 1, 2, 3, 5 and 9 are canceled upon entry of this amendment. No claim has been allowed.

In the Office Action, the following matters were raised or actions taken:

- (1) Rejection of claims 1- 8 under 35 U.S.C. §102(b) - Naka et al.

RESPONSE:

Claims 1, 2, 3 and 5 have been cancelled.

Claim 4 has been amended to include the subject matter of claim 5.

In the Office Action, the Examiner is contending, "Regarding claim 5, the handrail A (of Naka et al.) is mounted relative to the stairway 3 so that each of the generally horizontally and vertically disposed portions is disposed generally above a step and a riser of the stairway, respectively."

However, the Examiner's statement is not supported by the disclosure of Naka et al. patent because (1) its handrail is not "an alternating combination of generally horizontally and vertically disposed portions" but consists of a long straight portion extending obliquely along a first portion of the stairway, a short straight horizontally disposed portion, and another long straight portion extending obliquely along a second portion of the stairway; and (2) the handrail simply extends in a straight manner along the first and second portions of the stairway without changing its vertical configuration in correspondence with an alternating combination of steps and risers of the

stairway. The short straight horizontally disposed portion of the handrail is disposed generally above a single horizontal *landing* 17 (Figure 14). Note that each long straight portion spans several stairway steps (Fig. 6 and Fig. 11).

Regarding amended claim 4, the Examiner is contending that the functional language regarding a person using the handrail in a specific way is "intended use" and is given limited patentable weight. However, the handrail as set forth in amended claim 4 is mounted relative to the stairway in such a manner that each of the generally horizontal and vertical hand rail portions is disposed generally above a step and a riser of the stairway, respectively (see Fig. 3 and Fig. 6). This will provide an improved staircase arrangement that is "user-friendly" to infirm persons such as elderly and disabled persons. The alternating horizontal and vertical hand rail portions enable such persons to grasp the generally vertically disposed portions of the handrail without bending his or her wrist forwardly while ascending a flight of stairs, and also to grasp the generally horizontally disposed portions of the handrail without bending his or her wrist forwardly while descending the flight of stairs.

This one-to-one correspondence of alternating horizontal and vertical hand rail portions allows an infirm or disabled person to make more efficient use of his or her muscle strength by enabling the person to maintain his hand, arm and wrist in straight alignment and pull directly against a vertical hand rail portion while ascending and by enabling the person to maintain his hand, arm and wrist in straight alignment and brace directly against a horizontal hand rail portion while descending stairway steps and risers. This arrangement also accommodates the natural position of the hand and wrist and thereby prevent an accidental slip of his or her hands while the person is grasping or attempting to grasp the handrail. There is nothing in the cited art that teaches or suggests the specific inventive concept for constructing and mounting the

handrail in the manner as set forth in amended claim 4.

For these reasons the claims 4, 6, 7 and 8 are not anticipated by Naka et al. within the meaning of 35 U.S.C. §102(b).

(2) Rejection of claim 9 under 35 U.S.C. §103(a) - Naka et al. in view of Raynes

RESPONSE:

Claim 9 has been cancelled.

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CLAIM FEE CALCULATION

No additional claim fee is payable in connection with this amendment, since the total number of independent and dependent claims has been reduced.

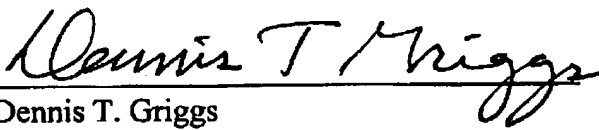
CONCLUSION

This application appears to be in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration and allowance of claims 4, 6, 7 and 8. A Notice of Allowance is requested.

If there are any matters remaining that may be cleared up by interview, please call Applicant's attorney at 972-447-4569.

Respectfully submitted,

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